

Notice of Allowability

Application No.

09/384,072

Examiner

Charles C. Chow

Applicant(s)

BISHOP ET AL.

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/12/2004.
2. ☒ The allowed claim(s) is/are 19-37 and 42-45.
3. ☒ The drawings filed on 30 December 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Claims 19-37, 42-45 are allowable over the prior art of record, the prior art fails to teach singly, particularly, or in combination, the subject matter, for a method for communication data between plurality of remote transceiver and a network based on data flow over multiple communication links, for establishing a first set of wireless communication links, for transmitting the data message from plurality of remote transceivers to hub, for receiving data messages at hub and routing data messages received by hub over a hardwired link, to aggregating data messages from multiple individual logical data flows generated by computers coupled to the plurality remote transceivers, to establishing a second wireless link between subscriber unit and base station using multiple shared radio channels having multiple logical data flows reformatted to include an extra physical layer for transmission of data on second wireless communication link, to stripping the extra physical layer, to routing the data message in the original form to a network in communication with base station, as shown in independent claim 19. The dependent claims are also allowable due to their dependency upon the independent claims.

The closest patent to Zicker (US 6,314,286 B1) teaches the plurality of remote transceiver 50 for the establishing a first set of wireless link with hub (base station 40), and access unit (44 and 48) for a second communication link to ground station in a wireless communication system. Zicker fails to teach the aggregating data from individual logical data flow generated by computer coupled to the remote transceiver, the reformatted to include extra physical

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layer, the stripping the extra physical layer from the data received over the second wireless link at base station.

Other prior arts in below has been considered, but they do not teach the above claimed features.

O'Sullivan et al. (US 5,487,069) teaches the peer to peer wireless LAN having the capability of transmission under multi-path condition between LAN and the mobile transceivers (abstract, Fig. 4). The hub 8 communicates with mobile transceiver 9, having subchannels which has a low bit rate but the total overall bit rate is high in order to overcome the delay time problems and inter- symbol interference (col. 7, line 66 to col. 8, line 8). O'Sullivan et al. fail to teach the other claimed features.

Rypinski (US 5,907,544) teaches a hub is based on the IEEE 802.11 standard in the hub controller and the multiple wireless network access point (title, abstract) for data transfer between the hub and the access points 71 (Fig. 1-5). The system is based upon the IEEE 802.11 (col. 1, line 33; col. 1, line 45; col. 2, line 32), or based upon the IEEE LAN standard 802 (col. 12, line 55). Rypinske teaches a hub controller using the IEEE 802 LAN standard 802 for the system, such that the system could be popularly implemented because many equipment are adopting the IEEE 802. Rypinski fails to teach other-claimed features.

Any comments considered necessary by applicant must be submitter no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance".

Conclusion

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to: (703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow *C.C.*

September 8, 2004.


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600